

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

VINCENT RAY SETTLES,	§	
TDCJ No. 1939000,	§	
	§	
Petitioner,	§	
	§	
V.	§	No. 3:17-CV-1675-D
	§	
DIRECTOR, TDCJ-CID,	§	(Consolidated With:
	§	No. 3:17-CV-1676-D)
Respondent.	§	

ORDER

The United States Magistrate Judge made findings, conclusions, and a recommendation in this case. An objection was filed by Petitioner on November 24, 2020. The undersigned district judge reviewed *de novo* those portions of the proposed findings, conclusions, and recommendation to which objection was made, and reviewed the remaining proposed findings, conclusions, and recommendation for plain error. Finding no error, the court adopts the findings, conclusions, and recommendation of the United States Magistrate Judge.


Considering the record in this case and pursuant to Federal Rule of Appellate Procedure 22(b), Rule 11(a) of the Rules Governing §§ 2254 and 2255 proceedings, and 28 U.S.C. § 2253(c), the court denies a certificate of appealability. The court adopts and incorporates by reference the magistrate judge's findings, conclusions, and recommendation filed in this case in support of its finding that petitioner has failed to show that reasonable jurists would find "it debatable whether the petition

states a valid claim of the denial of a constitutional right” or “debatable whether [this Court] was correct in its procedural ruling.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000).

But if petitioner files a notice of appeal, he must either pay the \$505.00 appellate filing fee or move for leave to proceed *in forma pauperis* on appeal.

SO ORDERED.

November 30, 2020.



SIDNEY A. FITZWATER
SENIOR JUDGE
